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E-FILED - 4/15/10

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

In re CONSECO INSURANCE CO.
 ANNUITY MARKETING & SALES
 PRACTICES LITIG.

Case No. C-05-04726-RMW
 And Related Cases

CLASS ACTION

This Case Relates To:

ALL ACTIONS.

**STIPULATION AND ORDER
 [] FOR SCHEDULING CLASS
 CERTIFICATION ISSUES**

STIPULATION

Whereas, the Parties delayed proceedings on class certification issues while exploring
 settlement possibilities and proceeding to mediation with Judge Edward Infante (ret.) on three
 occasions, including February 25, 2010 and March 11, 2010;

Whereas, the Parties have been unable to resolve this lawsuit, but are prepared to continue to explore settlement;

Whereas, the Parties believe that the case should move forward even as they continue to explore settlement..

Now, therefore, Plaintiff and all Defendants hereby stipulate and agree to the following schedule for class certification:

1. Plaintiff shall file his Motion for Class Certification and all supporting documents on or before June 7, 2010;
2. Defendants shall file their response on or before August 21, 2010;
3. Plaintiff shall file his reply on or before October 5, 2010.

The parties hereby request a hearing on Plaintiff's Motion for Class Certification to be scheduled by the Court at such time after October 5, 2010, as determined by the Court.

DATED: March ___, 2010 .

s/ Theodore Pinter
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ORDER II

The Court having considered the above stipulation and good cause appearing,

IT IS HEREBY ORDERED that the parties shall comply with the schedule set forth above.

IT IS FURTHER ORDERED that the hearing on Plaintiff's Motion for Class Certification shall be scheduled for October 8, 2010, at 9:00 a.m. in Courtroom 6 of this Court.

DATED: 4/15, 2010


Ronald M. Whyte
United States District Court Judge